

Remarks/Arguments

First, the claim objections made by examiner Bui in his report of July 19, 2005 have been fully addressed by amending the claims per his specific instructions on page 2 of the aforesaid report.

Specifically, only the dependency in claims 8, 9 and 12 has been changed, to respectively claims 6, 6 and 7. No other changes were made to claims 8, 9 and 12, other than the numbering.

I can state with certainty that no new matter was introduced into original Claims 8, 9 and 12.

The examiner's report also indicates the drawings filed on February 20, 2004 are accepted.

The only other main objection made by examiner Bui is that of the 35 USC 102(b) rejection of claims 1 – 12, as being anticipated by Brennen et al, in US Patent No. 5,329,578.

Claim 1, and in reference to FIGS 1a and 2a – 2d, are rejected in light of Brennen et al for a variety of reasons set forth on pages 3 and 4 of the examiner's report.

Additional rejections in view of Brennen et al are: Claim 2, regarding FIGS 1a and 2a – 2 d; Claim 3, referring to FIGS 1a and 2a – 2d; Claim 4, referring to FIGS 1a and 2a – 2d; and Claims 5 – 12 for the same reasons.

The examiner said: "[they] *are merely a system for implementing the method defined in the method claims 1 – 4* ".

Three (3) other patents cited by the examiner were listed to show the state of art in general, i.e., US Patent Nos. 5,109,408, 5,467,388 and 5,864,613.

Having re-read the Brennen et al patent [Brennen here-following], there are notable differences between his patent and our application which I'll point out in order to overcome the examiner's rejection of the above-mentioned claims.

First, Brennen discloses a personal communication service (PCS) employed by a telephone company to carry out incoming call management. A user must subscribe to this service in order to utilize its features.

Our device is an in home or business one privately owned and not a part of any telephone company.

A subscriber to the PCS detailed in Brennen must interact with the host computer or network, and this method dates back at least to the filing date of May 1992.

Although the examiner points out some similarities between our application and Brennen, the time difference alone in the field of computer programs and technology, i.e., over a decade, provides proof that there is virtually no similarity in the method.

Further, in Brennen, a user must interact with the PCS in a specified way unlike how a user of our device would interact with it. Further, the Calling Line Identification (CLID) system mentioned on Brennen is vastly different from our system or method, and operates on much older technology.

Storing anything on a database is a common practice in thousands of electronic devices. If Brennen chooses to store certain aspects of his patent on a database, it should not bar our patent from issuing because the overall functioning is different from Brennen.

There is nothing in the 10 year old Brennen patent that would motivate one skilled in the art of telephone screening devices to arrive at our claimed invention. Further, his patent offers no suggestion(s), evidence, or details to one skilled in the respective art which should bar our patentability.

The 35 USC 102(b) rejection, in terms of *"A person shall be entitled to a patent unless.....the invention was patented or described in a printed publication.....more than one year prior to the date of application....."*, does not appear to hold true.

Brennen has not patented our invention back in 1994.

In respectively countering some of the numerous citations made in the examiner's report, on pages, 3, 4 and 5, referencing the Brennen patent, I would like to now comment on the following specific details.

First, in the Brennen patent, contrary to page 3 of the examiner's report, I find no specific reference to calling number identification values (CNIDs).

Again, the Calling Line Identification (CLID) system mentioned in Brennen is vastly different from our system or method.

Our invention does utilize the CNIDs.

Moreover, the CLIDs in Brennen require a special routing treatment through a system housed at the telephone company where Brennen's method is carried out. Our invention is done at home via a different sequence of electronic events.

Features unlike our method in Brennen include: shared phone call announcing; special callers' list; schedule override; call completion query; subscriber's schedule; call completion treatment schedule; and announcement of caller identification – to mention a few.

Our method utilizes none of the aforesaid features in a way like the Brennen method.

In Brennen, column 10, lines 7 – 22, also featured is a "hunting feature" totally unlike anything in our application. In this sequence, the telephone company's service reroutes calls to various locations where other telephones assigned to an individual might be in operation.

Brennen's independent claim 1 is far from our method claim 1, as shown below:

What is claimed is:

1. A communication system for routing a call to a subscriber of a telephone mobility management service, wherein the subscriber of the service is assigned a unique personal telephone number, such that an incoming call made to the subscriber's unique telephone number is routed to the subscriber according to a call routing schedule tailored by the subscriber, comprising:

a) database means for storing:

i) a list of network addresses associated with telephone devices for use by the service subscriber;

ii) a list of calling line identification numbers (CLIDs) of callers identified by the subscriber as requiring special routing treatment; and

iii) a subscriber schedule indicative of which one of said telephone devices an incoming call should be routed to, on the time and day the incoming call is received;

b) signaling receiver means for detecting the CLID of a caller when a call is received at said subscriber's unique telephone number;

c) data processing means for receiving the detected CLID and for accessing said list of CLIDs of callers, said list of network addresses and said subscriber schedule stored in said database means; and

d) application server means for routing the call according to the special routing treatment associated with the caller's CLID and subscriber schedule and wherein said subscriber can access said database means via said application server means and said data processor means to modify each list stored therein.

Again, our claim 1 reads:

We claim:

1. A method for selective telephone call screening, comprising the steps of:

a) providing a user defined list of calling number identification values (CNID's) and a list of user screening rules;

b) storing said CNID's and said screening rules onto a database;

c) receiving a CNID from an incoming telephone call;

d) determining if said CNID of said incoming telephone call is valid or erroneous;

e) selecting a certain set of said screening rules so as to apply to said incoming telephone call, hereafter referred to as the classification of said incoming telephone call;

f) verifying said selected screening rules which have been enabled by a user; and

g) establishing whether said incoming telephone call will be allowed to continue to ring or will be terminated pursuant to said selected screening rules.

Therefore, based on the foregoing arguments, I respectfully, and in good faith, traverse all the examiner's objections and rejections of our patent application.

I believe that all the rejection and objection issues, plus concerns raised by the examiner in his report of July 19, 2005 have been fully dealt with and adequately discussed.

Finally, I feel the 3 newly presented claims and arguments supra now place the application in condition for allowance, and I await notice thereof, so that an US patent may soon issue.

Thank you,



Samuel Chiu

Date: 2005-10-02

[and on behalf of the other two applicants]

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